

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

DAVID WEBB,)	
)	
Petitioner,)	No. 2:18-cv-02366-TLP-tmp
)	
v.)	
)	
MYRON L. BATTS,)	
)	
Respondent.)	

**ORDER DIRECTING CLERK TO MODIFY DOCKET AND ORDERING
RESPONDENT TO RESPOND TO PETITION PURSUANT TO 28 U.S.C. § 2241**

Petitioner David Webb, Bureau of Prisons register number 21291-009, an inmate incarcerated at the Federal Correctional Institution in Memphis, Tennessee (“FCI Memphis”), filed a pro se Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2241 (“§ 2241 Petition”) on September 29, 2017. (ECF No. 1.) Petitioner paid the filing fee. (ECF No. 4.) The Clerk shall record the Respondent as FCI Memphis Warden Angela Owens.¹

The Clerk is DIRECTED to serve a copy of the § 2241 Petition and this Order on Respondent by certified mail pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts,² and shall provide a copy of the § 2241 Petition and this order to the United States Attorney for the Western District of Tennessee. Pursuant to Federal Rule of Civil Procedure 4(i), the Clerk shall also send copies of the § 2241 Petition and this order by

¹ The proper respondent to a habeas petition is the petitioner’s custodian. *Rumsfeld v. Padilla*, 542 U.S. 426, 434–435 (2004).

² These Rules are applicable to habeas petitions under 28 U.S.C. § 2241. *See* Rule 1(b), § 2254 Rules (“The district court may apply any or all of these rules to a habeas petition not covered by Rule 1(a).”).

certified mail to Acting Attorney General Matthew G. Whitaker and Mark S. Inch, the Director of the Federal Bureau of Prisons.

Respondent is ORDERED to file a response to the § 2241 Petition within twenty-eight (28) days. Petitioner may, if he chooses, submit a reply to Respondent's Answer or response within twenty-eight (28) days of service. Petitioner may request an extension of time to reply if his motion is filed on or before the due date of his response. The Court will address the merits of the § 2241 Petition, or of any motion filed by Respondent, after the expiration of the time to reply, as extended.

SO ORDERED, this 17th day of January, 2019.

s/Thomas L. Parker

THOMAS L. PARKER
UNITED STATES DISTRICT JUDGE